

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MOHAMMAD SAAILI SHIBIN,)
a/k/a "Khalif Ahmed Shibin,")
a/k/a "Mohammad Ali,")
a/k/a "Ali Jama,")
)
Defendant.)

CRIMINAL CASE NO.
2:11cr33

TRANSCRIPT OF PROCEEDINGS
(**Testimony of Volker Baaske**)

Norfolk, Virginia
April 23, 2012

BEFORE: THE HONORABLE ROBERT G. DOUMAR,
United States District Judge, and a jury

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE
By: Joseph E. DePadilla, Esquire
Benjamin L. Hatch, Esquire
Brian J. Samuels, Esquire
Paul Casey, Esquire
Assistant United States Attorneys
Counsel for the United States

ZOBY & BROCCOLETTI, P.C.
By: James O. Broccoletti, Esquire
Counsel for the Defendant

I N D E X

ON BEHALF OF THE GOVERNMENT:	Direct	Cross	Red.	Rec.
V. Baaske	3	24	--	--

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2

3 THE COURT: Who is your next witness?

4 MR. DEPADILLA: Detective Volker Baaske.

5 (The witness was sworn by the clerk.)

6 VOLKER BAASKE, called as a witness, having been
7 first duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. DEPADILLA:

10 Q. Sir, can you please state your name for the record?

11 A. Volker Baaske, B-A-A-S-K-E.

12 Q. What country are you from, sir?

13 A. I'm from Germany.

14 Q. And who is your employer?

15 A. I'm from the State Police Office of Lower Saxony.

16 Q. Can you tell the jury how many years you've been a
17 policeman?

18 A. I joined the police in 1984, and I changed to
19 investigator in 1993.

20 Q. And what kind of unit do you work for now?

21 A. I work for a unit for organized and major crime. We are
22 split into two teams, investigator and analyze team.

23 Q. And what types of normal organized crime do you look at
24 on that squad?

25 A. We work in cases of truck crimes, weapon crimes,

—V. Baaske - Direct—

1 explosive crimes, human smuggling.

2 Q. Did there come a time when your team was designated to
3 investigate piracy?

4 A. Yes, we investigated a piracy case since the 8th of May,
5 2010.

6 Q. And when you learned that your squad was going to start
7 investigating piracy what did you decide to do?

8 A. We prepared us. We did English courses, we bought stuff.
9 We bought cameras. We trained. We do interviews in English.

10 Q. And can you explain to the jury, why is a German police
11 team learning English to do piracy?

12 A. Because we don't work in the English language in Germany,
13 and on the water all seafarers are speaking English.

14 Q. What ship did your team start with, sir?

15 A. We started with the Marida Marguerite.

16 Q. And when the case started where was the company that
17 owned the Marida Marguerite?

18 A. The OMCI shipping management was in Haren, a small town
19 in Lower Saxony.

20 Q. You're going to need to spell that town for the court
21 reporter, sir.

22 A. H-A-R-E-N.

23 Q. And what was your role going to be on the Marida
24 Marguerite as it unfolded?

25 A. I'm the main investigator in that case.

—V. Baaske - Direct—

1 Q. Okay. Did your team do a wiretap?

2 A. Yes, we started the wiretapping on the night of the 9th
3 of May, 2010.

4 Q. And how long did that wiretap run for?

5 A. We finished the wiretapping at the 3rd of January, 2011.

6 Q. And as you listened to that wiretap, Detective, did you
7 find names that you wanted to investigate from people who
8 talked on the wire?

9 A. Yes, we find out the names Ali Jama and Leon.

10 Q. Okay. I want to talk about Leon for a minute.

11 Was Leon someone your team was already familiar with?

12 A. Yes. We knew about this name. The first piracy case in
13 Lower Saxony -- the police in Lingen consulted for this
14 case -- was the MS Victoria, which was hijacked on the 5th of
15 May, 2009, and released at the 18th of June, 2009, and the
16 ransom was 1,000,950 U.S. dollars.

17 Q. And can you spell Lingen for the court reporter?

18 A. L-I-N-G-A-N.

19 Q. Okay. Besides those actual conversations you captured on
20 the wire, what other information were you collecting from the
21 company?

22 A. We got the connecting data, text message and faxes.
23 Also, we got connecting data from the sat. phone from the
24 vessel by the company.

25 Q. Okay. And, Detective, is your term "connecting data" --

—V. Baaske - Direct—

1 is that the numbers that phones are calling to and from?

2 A. They are all text messages, all phones, and all tries to
3 have connections.

4 Q. Okay. And were you comparing that connecting data with
5 other piracy cases in your purview?

6 A. Yes. I told you we have an analyze team, and we can
7 compare all these numbers with other cases.

8 Q. And as part of your investigation did you recover a
9 mobile number that was linked to that voice, Ali Jama?

10 A. Yes. It was mobile number 00252 90 22 8675.

11 Q. So, let's break that number down into its pieces.

12 A. Okay. The first number, 00252, are the area code for
13 Somalia. The 9 and 0 are the area code for Puntland.
14 Puntland is a part of Somalia, and in Somalia there are three
15 big communication companies, and one of them is Golis, and
16 they have the area code 90.

17 Q. And, so then, those last six digits, the 22 8675, what
18 are those numbers?

19 A. Those are the mobile numbers.

20 Q. And can you spell Golis for the court reporter?

21 A. G-O-L-I-S.

22 Q. And did you have meetings with the shipping company as
23 part of your investigation?

24 A. Yes. We have a meeting with the shipping company a few
25 days before the release of the Marida Marguerite in December.

—V. Baaske - Direct—

1 We meet them in Haren, and we wanted to talk about the port
2 which we could meet the Marida Marguerite in a short time
3 after the release. We have an agreement with the shipping
4 company that they want to take the port of Salalah in Oman,
5 and we talked about our measures with the company, and we
6 wanted to conduct interviews and to conduct our forensic
7 measures. The Oman authorities allowed us to do our measures
8 only on board the Marida Marguerite. We wanted to talk about
9 the timetable for our measures with the company.

10 And we prepared two faxes for the crew which the
11 company had to send to the Marida Marguerite after release.
12 The first fax -- it was a short questionnaire for all crew
13 members to fill out on the way after release to Salalah,
14 Oman. And we know before -- we knew before that we could not
15 interview any crew member, and then we want to find out which
16 crew member we can interview with the questionnaire.

17 The second fax -- there had been orders for the crew
18 how they can handle all evidences; that they have to collect
19 the evidences from different cabins which was used by
20 different pirates and label it for us. You don't want to
21 lose evidences.

22 Q. Okay. And how long did you have to prepare for your trip
23 to Salalah, Oman?

24 A. Eight months.

25 Q. Did the German police have any say on when the ship was

—V. Baaske - Direct—

1 actually going to be released?

2 A. No, we had no influence of the negotiations. We had a
3 liaison officer in the company, and he was the connection
4 between the investigator and the company.

5 Q. So, once you learned that the Marida Marguerite was going
6 to be released from Somalia how long was it before you were
7 in Salalah, Oman?

8 A. The Marida Marguerite was released on the 28th of
9 December, 2010. That was the date we were going to Salalah.

10 Q. Okay. So you left the same day it left?

11 A. We left the same day, and we arrived on the 29th of --

12 Q. Give the jury an idea. How big a team did you take to
13 Oman?

14 A. My team was ten colleagues. There would be four
15 investigators, four forensic colleagues, one colleague from
16 the International Police, and the responsible prosecutor.

17 We splitted the team of investigators in two teams.
18 In every team was one colleague whose English was quite good.
19 In my team was the colleague Wolfgang Ordon, who was two
20 times in UN Mission for one year, and the other team was
21 colleague Krausse and colleague Klem.

22 Q. Okay. And is colleague Krausse, Sascha Krausse, who
23 you've heard in this trial?

24 A. Yes.

25 Q. And could you spell Wolfgang's name for the court record,

—V. Baaske - Direct—

1 too?

2 A. V-O -- no. W-O-L-F-G-A-N-G, O-R-D-O-N.

3 Q. And when you went to the Marida Marguerite did Captain
4 Heiko Kreschmer go with you at that time?

5 A. We met him the first time in Salalah, Oman.

6 Q. All right. And how did Captain Kreschmer help you with
7 getting on the boat?

8 A. He helped us in the port of Salalah; that we can go
9 inside and that we can go from the port to the ship with the
10 tack boat.

11 Q. All right. I want you to look at the screen that's next
12 to your chair. This is already in evidence as 1-1 A.

13 Do you recognize those people, sir?

14 A. Yes.

15 Q. All right. And can you tell me who this man in green is?

16 A. That is Chirag Bahri.

17 Q. And -- hold on, I hit the wrong button.

18 (There was a pause in the proceedings.)

19 BY MR. DEPADILLA:

20 Q. And this man in black?

21 A. Sandeep Denghwal.

22 Q. And this man back here in the striped shirt?

23 A. That's Oleg Dereglazov.

24 Q. And this man on the left?

25 A. Robin Varghese.

—V. Baaske - Direct—

1 Q. And this man in the striped shirt?

2 A. Sunsue Pandey.

3 Q. All right. First I want to know what your people were
4 focusing on.

5 A. They want to search evidences on the ship, DNA,
6 fingerprints. They made photos from the whole ship. They
7 made tapes with the camera from parts of the vessel. They
8 take fingerprints and DNA from the crew members and made
9 photos from the injuries of the crew members.

10 Q. And then what were your investigator teams focusing on?

11 A. Yeah. We wanted to conduct interviews with the crew
12 members.

13 Q. Okay. So can you give the jury an idea? Which of the
14 interviews did you -- was your team responsible for?

15 A. Yes. I was responsible for the interview with Captain
16 Makane, with Sunsue Pandey, with Laptrol Zeem (phonetic
17 spelling), with the First Officer Iqbal, and with Harmeet
18 Zingh.

19 Q. Okay. Now, as you were conducting your investigation did
20 you ever see a photograph that was already on the ship that
21 was there before your team started taking them?

22 A. Before we were on the ship we had no photo, but on the
23 ship we heard from crew members that Mr. Shibin used the
24 laptop of Deepak Tulsiram and that he made a photo of
25 himself. It was saved on this laptop.

—V. Baaske - Direct—

1 Q. I'd like to look at the screen again. Do you recognize
2 that photo, sir?

3 A. Yes, that's the photo.

4 MR. DEPADILLA: And, for the record, that's
5 Government's Exhibit 1-1 C.

6 BY MR. DEPADILLA:

7 Q. Tell the jury, when is the first time you saw that photo?

8 A. Yes. It was the first day on the vessel. Deepak
9 Tulsiram showed us the photo on his laptop. Colleague Sascha
10 Krausse saved it on an external hard drive disk for us.

11 Q. Okay. Do you see that person in the courtroom today?

12 A. Yes, he's sitting there (indicating).

13 Q. Okay. Can you indicate for the record what he's wearing
14 and point in his direction? Can you tell what he's wearing?

15 A. (Indicating.)

16 MR. BROCCOLETTI: Judge, we would stipulate it's the
17 defendant.

18 THE COURT: Let the record reflect he's pointed to
19 the defendant.

20 BY MR. DEPADILLA:

21 Q. Thank you, Detective. Now, was one of the things your
22 team wanted to do was find out what the background of this
23 picture was?

24 A. Yes.

25 MR. DEPADILLA: Can we unpublish, Madam Clerk?

—V. Baaske - Direct—

1 THE CLERK: Yes, sir.

2 BY MR. DEPADILLA:

3 Q. I'd like to show you what has been previously marked as
4 Government's Exhibits 1-83 A, 1-83 B, 1-83 C, 1-83 D and
5 1-83 E.

6 Detective, do you recognize those photos?

7 A. Yes.

8 Q. And what are those photos of, in general?

9 A. This is the cabin of the First Officer Iqbal.

10 Q. Are those fair and accurate photos of how the first
11 officer's cabin looked back in December of 2010?

12 A. Yes.

13 MR. DEPADILLA: Your Honor, we would offer
14 Government's Exhibits 1-83 A through E.

15 THE COURT: 1-83 A, B, C and D is admitted in
16 evidence and may be published to the jury.

17 MR. DEPADILLA: And E as well, Your Honor?

18 THE COURT: E?

19 MR. DEPADILLA: Yes. It's A through E.

20 THE COURT: All right. E, too.

21 MR. DEPADILLA: Thank you, Your Honor.

22 (The exhibits were admitted into evidence.)

23 MR. DEPADILLA: Can we publish, Madam Clerk? Thank
24 you.

25 BY MR. DEPADILLA:

—V. Baaske - Direct—

1 Q. Let's start with 1-83 A. Tell the jury, what are we
2 looking at here? You can just look on the screen, Detective.

3 A. This is the view from the door into the room.

4 Q. All right. And let's go to 1-83 B. What are we looking
5 at now?

6 A. This is from the door to the right side.

7 Q. All right. 1-83 C. What's this view?

8 A. It's the right side, too, with the bed.

9 Q. Okay. And what is this, where you have the 17?

10 A. Yes. This is a TV on a cupboard.

11 Q. Okay. And what do we have over here on this wall?

12 A. We have the calendar and a document.

13 Q. Let's go to 1-83 D. What view is that?

14 A. That's a view to the wall. You can see on the right side
15 is the cupboard and the TV. On the left side is the document
16 and the calendar and a part of the bed.

17 Q. And, finally, 1-83 E.

18 A. It's the same cupboard, TV, document and calendar.

19 MR. DEPADILLA: Mr. Samuels, could you pull up
20 1-83 E with an F1 and then pull up 1-1 C with F2.

21 BY MR. DEPADILLA:

22 Q. Give the jury an idea. How long did your team
23 investigate on the Marida Marguerite in Salalah, Oman?

24 A. We had been on the vessel from the 3rd of January to the
25 7th of January, five days.

—V. Baaske - Direct—

1 Q. And at that time did your team capture any of the targets
2 you were looking for?

3 A. No.

4 Q. Okay. Explain to the jury. What did you do when you got
5 back to Germany?

6 A. When we got back to Germany we analyzed all evidences we
7 had, we did forensics tests, DNA, fingerprints, we
8 transcribed all the video interviews that's ever been
9 translated from English to German. All documents written in
10 Somali language were being translated by a Somali translator.
11 We analyzed all interviews, and we entered all important
12 things from our evidences and interviews in databases to
13 compare it with other cases, and we set up for international
14 arrest warrants.

15 Q. Okay. Did your team recover any paper evidence from the
16 Marida Marguerite that had either the name Shibin or a
17 variation of that name?

18 A. Yes, we had some papers.

19 Q. Okay. First I'd like to show you what's already in
20 evidence as Government's Exhibit 1-82 A, if you could look at
21 the screen.

22 And was this one of the pieces of paper that you
23 recovered --

24 A. Yes.

25 Q. -- on the ship?

—V. Baaske - Direct—

1 A. Yes, as I remember.

2 Q. All right. And now I'd like to look at 1-82 B, which is
3 the translation, and, if you could, read into the record the
4 second line.

5 A. Yes. It's written the name Shibin.

6 Q. And what does it say over here?

7 A. He wanted to have five days of vacation from the 30th of
8 June, 2010 -- beginning the 30th of June.

9 Q. Okay. And did you compare this piece of paper that you
10 guys recovered off the ship with the information that you
11 were taking in as part of the wiretap?

12 A. We compared it with our wiretappings, and we figured out
13 that there was an SMS from Mr. Shibin to Rajesh Chava -- it
14 was the first negotiator from the shipping company -- the SMS
15 that was written that he wanted to leave for one week. We
16 figured out the next contact was on the 8th of June, the
17 phone call between Mr. Shibin and Rajesh Chava.

18 Q. So let's go to that SMS. Do you recognize this, sir?
19 It's Government's Exhibit 1-29. First I'd like to look at --
20 do you recognize that cell phone number, sir?

21 A. Yes.

22 Q. And what cell phone number is that?

23 A. That's the phone number used by Mr. Shibin.

24 Q. And what is the date of the --

25 A. It's the 30th of June, 2010, 1:00.

—V. Baaske - Direct—

1 Q. And the text from the message?

2 A. "Dear Rajesh: I left the ship this morning, and I don't
3 know if I will go back. Anytime you need my help, just call
4 me. Regards."

5 Q. Okay.

6 MR. DEPADILLA: If we could unpublish again, Madam
7 Clerk?

8 THE COURT: Yes, you may.

9 MR. DEPADILLA: Thank you, Your Honor. I'd like to
10 show the witness what's been previously marked Government's
11 Exhibits 1-84 B and 1-84 C.

12 BY MR. DEPADILLA:

13 Q. Do you recognize 1-84 B and 1-84 C, sir?

14 A. Yes.

15 Q. And what are they?

16 A. This is a document our translator translated for us,
17 "liabilities for robber" -- or "roober." There is also
18 written the name "Shibin" in the third line.

19 Q. Okay. Detective, first I want to -- is that something
20 that your team recovered from the ship?

21 A. Yes.

22 Q. All right. And now look at 1-84 C, the second document.

23 Is that also a document that your team recovered from
24 the ship?

25 A. Yes, I remember this document.

—V. Baaske - Direct—

1 Q. All right.

2 MR. DEPADILLA: Your Honor, we would offer 1-84 B
3 and 1-84 C.

4 THE COURT: 1-84 B and 1-84 C are documents
5 recovered from the ship.

6 I assume you'll show their relevance.

7 MR. DEPADILLA: I will, Your Honor. First I need to
8 read a little bit of a stipulation, if that's okay with the
9 Court.

10 THE COURT: Okay.

11 MR. DEPADILLA: All right. "United States Exhibits
12 1-1 A to 1-1 Z and 1-82 to 1-85 were collected by various
13 officers of the German Lower Saxony police from the M/V
14 Marida Marguerite in and about the end of December 2010 and
15 early January 2011, secured and maintained as evidence
16 according to German protocols. United States Exhibits 1-1 A
17 to 1-1 Z and 1-82 to 1-85 have therefore been properly
18 authenticated and are admissible in evidence with no further
19 showing by the government."

20 And further in the stipulation it reads, "United
21 States Exhibits 2-13 A through 2-13 G, 2-13 J and 2-13 L are
22 communications in the Somali language. Exhibits 1-82 and
23 1-83 are documents recovered from the Marida Marguerite,
24 written in Somali. The parties stipulate and agree that
25 United States Exhibits 2-13 A through 2-13 G, 2-13 J, 2-13 L,

—V. Baaske - Direct—

1 1-82 and 1-83 have been fairly and accurately translated into
2 English from the Somali language and the English translation
3 is found on the second page or the second letter of each
4 exhibit."

5 Q. Now, Detective --

6 MR. DEPADILLA: Could we please publish, Madam
7 Clerk?

8 THE CLERK: Yes, sir.

9 THE COURT: Is the stipulation signed?

10 MR. DEPADILLA: Your Honor, we're in the process --
11 we've made an agreement with Mr. Broccoletti that at the end
12 of the trial it will be signed and entered, after we've gone
13 through each part of it.

14 THE COURT: Is that your agreement, Mr. Broccoletti?

15 MR. BROCCOLETTI: It is, Your Honor.

16 THE COURT: All right. The stipulation is so
17 accepted.

18 (The stipulation was admitted into evidence.)

19 MR. DEPADILLA: Thank you, Your Honor.

20 BY MR. DEPADILLA:

21 Q. So let's look at 1-84 B, and I'd like you to focus to
22 this part.

23 If you could look on the screen, what is the name you
24 see there?

25 A. Shubin.

—V. Baaske - Direct—

1 Q. And what is the amount that's next to it?

2 A. 150.

3 Q. Okay. And when we look at the English translation of
4 that portion...

5 A. Yes.

6 Q. Okay. Above Shibin what is the name?

7 A. It's the name Nuur.

8 Q. And above Shibin what is that name?

9 A. Liban.

10 Q. Okay. Now I'd like to look at 184 C.

11 Okay. And what is the name here?

12 A. That's Shibin.

13 Q. Okay. And when we go to the translation...

14 A. It's written "Shibin, 200 USD."

15 Q. Okay. So, actually, could you read this entire line, the
16 line that's enumerated 3, that line? Just read it across.

17 A. "Xasan Nuur, representative for Shibin."

18 Q. Okay. And can you also read the name that's right above
19 that?

20 A. Liban Abdurahman.

21 Q. Okay. Now, as part of your investigation did you recover
22 any evidence related to the distribution of the ransom money?

23 A. Would you repeat that?

24 Q. Did you recover any evidence related to the distribution
25 of the ransom money to the pirates?

—V. Baaske - Direct—

1 A. Yes.

2 Q. I'd like to show you what's been previously marked as
3 Government's Exhibit 1-84 A.

4 MR. DEPADILLA: Let me give you the rest of them to
5 save you some trips. There you go. Just the first one of
6 the group. Thank you.

7 BY MR. DEPADILLA:

8 Q. Let's just start with 1-84 A, Detective. Do you
9 recognize that?

10 A. Yes.

11 Q. And what is that?

12 A. It's SAMI SARC.

13 Q. And with your investigation into Somalian piracy, what is
14 a SAMI SARC list? Was does it mean?

15 A. We learned from our translator that there is written down
16 how the ransom is -- would be shared under the pirates.

17 Q. And that was recovered off the boat, off the Marida
18 Marguerite?

19 A. (The witness nodded his head.)

20 MR. DEPADILLA: We would offer 1-84 A, Your Honor.

21 THE COURT: 1-84 A, the method of sharing the
22 proceeds, is received in evidence.

23 MR. DEPADILLA: And may I post it, Your Honor?

24 THE COURT: Publish it.

25 THE CLERK: Mr. DePadilla, wasn't that part of the

—V. Baaske - Direct—

1 stipulation?

2 MR. DEPADILLA: It is part of the stipulation.

3 Okay.

4 BY MR. DEPADILLA:

5 Q. Let's look at it. What's the figure written over there
6 on the right?

7 A. 60,900.

8 Q. And below? The smaller number?

9 A. 30,450.

10 Q. Okay. Did you find Shibin's name on the SAMI share
11 chart?

12 A. No.

13 Q. Okay. Now, did your team photograph any evidence related
14 to weapons?

15 A. Yes.

16 Q. Okay. I'd like you to look up there on your shelf at
17 Government's Exhibits 1-85 A to 1-85 D. Do you recognize
18 those, sir?

19 A. Yes, I remember.

20 Q. Okay. And what are those pictures of?

21 A. The first picture is pirate ammunition.

22 Q. Okay.

23 A. The second picture is ammunition of pirates. The third
24 picture is a magazine. And the fourth picture -- I think it
25 is ammunition for a machine gun, because it is on a chain.

—V. Baaske - Direct—

1 MR. DEPADILLA: Your Honor, we'd offer 1-85 A
2 through D and ask to publish.

3 THE COURT: 1-85 A through D, the ammunition and
4 magazine as recovered, are hereby admitted into evidence.

5 (The exhibits were admitted into evidence.)

6 BY MR. DEPADILLA:

7 Q. Let's review them again for the jury. Please look at
8 your screen. What is 1-85 A?

9 A. Pirate ammunition.

10 Q. 1-85 B?

11 A. Ammunition.

12 Q. 1-85 C?

13 A. It's a magazine.

14 Q. Do you know what kind of weapon that magazine is for?

15 A. I'd say it's a magazine of an AK-47, Kalashnikov.

16 Q. And 1-85 D?

17 A. This is ammunition on a chain. I think it is for a
18 machine gun.

19 Q. Did your team, during its several-day search of the
20 Marida Marguerite, recover any evidence related to a
21 nongovernmental organization to stop piracy?

22 A. No.

23 Q. Did your team recover any evidence related to free-lance
24 journalism?

25 A. No.

—V. Baaske - Direct—

1 Q. Okay. Once -- well, actually, then I'll just direct your
2 attention to March of 2011. What was the next break in your
3 case?

4 A. The 5th of March, 2011, we got a request from the FBI.
5 They asked us if we had any knowledge about a person with the
6 name Shibin, and they asked us about a part of a cell phone
7 number -- it was a 22 8675 -- and we answered them on the 9th
8 of March. We gave them all our knowledge about the person
9 Ali Jama or Shibin we had from our interviews and
10 wiretapping, and we sent them the photo we saved on the
11 Marida Marguerite, and we give them all our knowledge about
12 the cell phone number. This number was used by Mr. Shibin on
13 the Marida Marguerite for the negotiations.

14 Q. And, sir, to make the record clear, is Government's
15 Exhibit 1-1 C the photograph that you passed to the FBI when
16 they requested that information?

17 A. Yes, that's the photograph.

18 Q. And what was the next contact you got back from the
19 Americans?

20 A. On the 17th of March we got information from the FBI that
21 they identified the person Ali Jama or Shibin as Mohammad
22 Saaili Shibin, and they sent us another photo which was also
23 in the same place as the person in the photo from the Marida
24 Marguerite.

25 Q. And what was your next communication in the case?

—V. Baaske - Cross—

1 A. On the 8th of April in 2011 we got the information from
2 the FBI that the American authorities arrested Mr. Shibin and
3 he was brought to Norfolk, Virginia.

4 Q. I'd now like to play one small snippet of your wiretap,
5 so if you could listen at the screen. This is from call 967.

6 (The audio recording was played.)

7 BY MR. DEPADILLA:

8 Q. To your knowledge, as the lead investigator on the Marida
9 Marguerite, did Ali Jama ever send the company e-mails with
10 the faces of the leaders behind the Marida Marguerite
11 hijacking?

12 A. Never.

13 Q. And, to your knowledge, did the company provide him any
14 extra money beyond the \$5 million?

15 A. No.

16 MR. DEPADILLA: No further questions, Your Honor.

17 THE COURT: Mr. Broccoletti, do you want to start
18 your cross-examination tomorrow morning?

19 MR. BROCCOLETTI: Judge, I'll be very short. I can
20 finish in less than five minutes.

21 THE COURT: All right. I'll let you do that.

22 CROSS-EXAMINATION

23 BY MR. BROCCOLETTI:

24 Q. Did the company ever give him an e-mail to send to?

25 A. No.

—V. Baaske - Cross—

1 Q. Okay. Did you direct the company in any way during the
2 course of the negotiations?

3 A. No. They negotiated the ransom with the insurance
4 together.

5 Q. Were you aware of a text that the defendant sent in
6 September -- specifically, September the 13th -- to the
7 company saying, "Pay the money or rescue the ship; I will
8 cooperate"?

9 A. I don't know.

10 Q. I'm sorry?

11 A. Can you repeat that?

12 Q. Sure. I'm sorry.

13 On September the 13th were you aware of a text that
14 the defendant sent to Mike saying, "Pay the money or attack
15 the ship; I will cooperate"?

16 A. Yes, I remember.

17 Q. All right. Did you ever advise the company on any rescue
18 methods or any attempts to be able to attack the ship?

19 A. No.

20 Q. All right.

21 MR. BROCCOLETTI: Thank you. That was two minutes,
22 sir.

23 MR. DEPADILLA: No further questions. We'd like to
24 release this witness, if that's okay.

25 THE COURT: Can you release this witness,

1 Mr. Broccoletti?

2 MR. BROCCOLETTI: We can, Your Honor.

3 THE COURT: Thank you very much, sir. You're
4 instructed not to discuss your testimony with anyone until
5 this matter is complete, at which time you're free to discuss
6 it with anyone you like.

7 You may be released. Thank you, sir.

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13 CERTIFICATION

14

15 I certify that the foregoing is a correct transcript
16 of an excerpt from the record of proceedings in the
17 above-entitled matter.

18

19

20

21 s/s

22 Heidi L. Jeffreys

23

24 July 27, 2012

25 Date